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*ADMITTED IN NEW YORK ONLY

February 24, 2003

Dorothy Beard, Chief
Document Services Division
Docket Section
Room PL401
Docket No. OST-1996-1437
Department of Transportation
SVC-124
Washington, DC 20590

DEPT. OF TRANSPORTATION
DOCKETS
2003 FEB 24 P 4:24

Re: Privacy Act of 1974; Notice to Amend a System of Records;
Docket No. OST-1996-1437; Comments of British Airways

Dear Ms. Beard:

British Airways hereby responds to the referenced Notice, published in the Federal Register dated January 15, 2003, which proposes establishment of a system of records under the Privacy Act of 1974 for individuals traveling to, from, or within the United States by passenger air transportation. As an international carrier, British Airways understands and supports the objective of preventing and combating terrorism. As a United Kingdom carrier, British Airways must also make every effort to comply with all applicable government requirements, including those imposed by the European Union (EU).

The referenced system of records will apply to, among other data, Passenger Name Records (PNR's) and reservation and manifest information. It will include information subject to EU and UK data protection statutes.

As the Department is aware, representatives of the European Commission and the US Customs Service met in Brussels on February 17 and 18, 2003 in an attempt to reconcile the US need for data regarding passengers traveling to and from the United States with EU data protection requirements. That meeting resulted in an interim agreement regarding guidelines and procedures governing the use and protection of passenger data by the US Customs Service which included a number of representations by the US Customs Service as to how it will use and protect the data. For the longer term, both sides committed to develop a comprehensive, mutually acceptable bilateral arrangement governing the purposes for which passenger data will be used and limiting permitted use to those purposes; establishing conditions and limits of data sharing and onward transfer; protecting data from unauthorized access; governing permissible duration and conditions of data storage; establishing measures for the protection of sensitive

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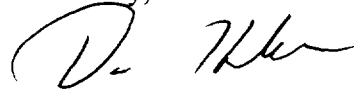
data; and providing remedies for passengers, including possibilities to review and correct data held by governmental authorities.

The EC and US representatives committed to engage in an intensive dialogue intended to achieve a mutually acceptable bilateral arrangement without delay. The expedited process described above will result in comprehensive guidelines governing use of the data which would be included in the system of records subject to the referenced Notice.

Accordingly, British Airways requests that the proposed system of records take account of the interim agreement between the EU and the US, and in particular of the detailed representations given by the US Customs Service. In addition, it should be recognised that the system may need to be amended upon completion of the contemplated comprehensive bilateral arrangement.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Hainbach', written in a cursive style.

Don H. Hainbach
Counsel for British Airways